

DORA JENNY WAGNER

JULY 26, 1951.—Committed to the Committee of the Whole House and ordered to be printed

Mr. FEIGHAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 700]

The Committee on the Judiciary, to whom was referred the bill (H. R. 700) for the relief of Dora Jenny Wagner, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows: Strike out all after the enacting clause and insert in lieu thereof the following:

That for the purposes of the immigration and naturalization laws, Dora Jenny Wagner shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to a native of Germany, a professor at the Washington State College. The bill also provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

GENERAL INFORMATION

The pertinent facts in this case are contained in a letter from the Deputy Attorney General to the chairman of the Committee on the Judiciary, dated June 25, 1951, which letter reads as follows:

JUNE 25, 1951.

Hon. EMANUEL CELLER,
Chairman, Committee of the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 700) for the relief of Dora Jenny Wagner, an alien.

The bill would provide that Dora Jenny Wagner shall, upon the payment of the required head tax, be considered for the purposes of immigration and naturalization laws to have been lawfully admitted to the United States and would direct the Secretary of State to instruct the quota-control officer to deduct one number from the German quota for the first year that such quota is available. The apparent purpose of the bill, however, is to grant the alien permanent residence in the United States.

The files of the Immigration and Naturalization Service of this Department disclose that Miss Dora Jenny Wagner was born on September 14, 1885, in Bautzen, Saxony, Germany, and is a citizen of that country. She last entered the United States at the port of New York on May 18, 1949, when she was admitted as a temporary visitor until August 18, 1949, under section 3 (2) of the Immigration Act of 1924. She was granted extensions of her temporary stay, the last of which expired on August 14, 1950.

Miss Wagner has stated that prior to her last entry into the United States, she had been in this country on one occasion, in 1928, on a "study tour of the colleges and the universities" and had declined an offer of a teaching position at Columbia University at that time, in order to accept a principalship of a high school in Leipzig, Germany. She further stated that in May 1933 she had joined the NSDAP (Nazi Party) having been told in confidence that unless the principal of each school were a member of the Nazi Party, or rather presented himself to the party, that their school would be closed. She further stated that during her membership in the Nazi Party she automatically became a member of the "NS Lehrerbund" (Teachers Union). She had formerly resided in the city of Dresden in the Russian occupation zone of Germany, but prior to her departure for the United States she established residence in the American zone by staying with a friend. She left the Soviet zone of Germany illegally and could not return there for that reason. Miss Wagner related that she had been a teacher from 1915 until 1936, when her health failed, and that she had been in retirement from 1936 until her employment by Washington State College in 1949. She majored in education and has lectured in political science at Washington State College. She also stated that the college paid her travel expenses to the United States and that deductions were being made from her salary for reimbursement. She stated that she had not been assigned to conduct any classes during the fall semester of 1950, but that she devoted her time to delivering lectures at different institutions of learning and before various organizations under the sponsorship of the Washington State College. She has also broadcast on radio station KWSC, Pullman, Wash. During the year and a half preceding, she conducted one class at Washington State College on contemporary problems in Europe and she stated that commencing with the second semester in February 1951 she would resume this class as well as extension courses and would also lecture on "youth movements." She further stated that she receives a salary of \$3,700 per year from the Washington State College. Mr. Wilson Compton, president of the college, who has offered Miss Wagner a job as professor, stated that she is a lecturer in social studies and that she is a full-time employee. He further stated that Miss Wagner is a person who cannot be replaced on the faculty at the college, and if she were unable to continue at the college, the work she is doing would have to be discontinued. While it is claimed that because of her lectures and her work with the Voice of America she could not return to her home in the Soviet zone of Germany, it appears that she could safely return to the American zone.

The quota of Germany, to which the alien is chargeable, is oversubscribed and an immigration visa is not readily obtainable. She may now be eligible for non-quota status under section 4 (d) of the Immigration Act of 1924, if her work at Washington State College has been such that she could qualify as a professor, provided that her past membership in the Nazi Party does not disqualify her under the Internal Security Act of 1950, as amended by Public Law 14, Eighty-second Congress. The record, however, fails to present facts that would justify waiving the quota provisions of the general immigration laws. Frequently, in recent years, aliens who desired to enter the United States for permanent residence

but who were unable to do so because of the oversubscribed condition of the quotas to which they were chargeable, have entered this country as visitors hoping to adjust their status after entry. To enact the instant bill might encourage other aliens to follow the same procedure.

Accordingly, this Department is unable to recommend enactment of the measure.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Mr. Holmes, the author of this bill, appeared before a subcommittee of the Committee on the Judiciary and urged the enactment of his measure, submitting the following sworn statement from Miss Wagner, the beneficiary of this legislation:

CURRICULUM VITAE

I, Jenny Dora¹ Wagner, was born September 14, 1885, in Bautzen, Saxony, which is now pretty close to the Oder-Neisse border. The only public education possible for girls at that time in medium-sized cities of Germany was a certain kind of superior grade school. Besides that, I received private instruction. We had an English lady in our house for many years who taught me. From my ninth year, I have spoken English as easily as German; later on, French too. My parents were well-to-do; there was no need of my earning money. Yet I felt the urge to widen my knowledge. In 1904, I went to France, where I studied one semester at the University of Nancy, as a "guest student." I spent the entire summers of 1905 and 1907 in France too, on the Mediterranean and in the Pyrenees.

In the fall of 1908, I went to the Teachers College of Leipzig, then considered the most progressive in Germany. Again, I had to be admitted as a "guest student," because I did not bring the normal certificate of a regular high school, although I had far more knowledge in many fields. A special schedule was set up for me, and 18 months later I graduated as what would be called an "A" student in the United States. This scholarship record gave me the right to become a regular student at any German university after a second examination, with the same success, after a period of teaching. I taught 1 year at a girl's grade school in my native town, received my "A" a second time, and went to the University of Leipzig to study English, French, history, and education. I majored in all four, which was unusual, and passed my "Staatsexamen," which corresponds to the M. A. in this country in February 1915 with "I" (or "A").

During the summer term of 1912, I studied at Oxford, England. On the day of the German mobilization, August 1, 1914, I had presented myself for my final examination (Staatsexamen), because I wanted to serve, not to work for myself any longer. As soon as I had graduated, I was assigned to the State Teachers College of Saxony, at Dresden. There I worked as a regular professor until 1928.²

Somehow, special responsibility always landed on me, e. g., when "teachers' councils" were instituted in 1919, I was elected for that post and constantly reelected until Hitler abolished that institution as well as the Saechsische Philologenverein—the Association of the University Trained Teachers of Saxony. I had been elected as the female representative on its board of directors too (the other four were men).

In the spring of 1928, I went to the United States as a member of a study group composed by the Zentralinstitut fuer Erziehung und Unterricht, Berlin, and sponsored by Teachers College, Columbia University, New York. Under the guidance of a professor of Teachers College, first Dr. Milton C. del Manzo, now provost of Teachers College, secondly, Dr. Thomas Alexander, after World War II, chief of educational and religious affairs in OMGUS, we toured the East, New England, the Middle West, and part of the South. From the second day after our landing in the United States, I became, heaven knows how, the official speaker of our party. This led to my being asked to stay when the others left early in July and go on a lecture tour under the auspices of the Institute of International Education, New York. The leader of the Zentralinstitut wired to the Saxon Government and the Foreign Office of Germany requesting them to extend my leave of absence, "Since I evidently succeeded in building up inter-

¹ My birth certificate and other documents say Jenny Dora. The travel document put Dora first, because that is the name by which I am called.

² In 1920 I got my Ph. D. from the University of Leipzig.

national understanding." So, I toured the States again, including the Pacific coast. Meanwhile, offers of permanent posts were made to me, e. g., by Teachers College, Columbia, and by Mills College. About the same time, the Saxon Government sent a cable, asking me to "break the ice" at home and become the first female principal of a high school in Saxony. I longed to accept the American offers, but felt bound by loyalty to serve my own country, since it evidently needed just me. So I left the United States by the Christmas boat, December 1928. But up to 1936, I got offers from America.

The last came through Dr. Wilbur K. Thomas, Carl Schurz Foundation: A call to build up the German department at Wagner College, Staten Island, and to give lectures in Greater New York under the auspices of the Schurz Foundation. I would gladly have accepted that offer. But just then I had resigned my post in Nazi Germany, broken in health and spirit. It took me more than a year to recover, and I felt bound not to let Wagner College run a risk with me. I know now that I might have done it, that the atmosphere of freedom in America would have set me right. That terrific blunder of mine taught me to risk just everything when the last call to freedom came 2 years ago.

When I returned to Germany, I took over the state high school for girls in Leipzig, but changed a year later for a girls' high school in Dresden, which offered far greater possibilities of transforming it into a progressive institution and introducing the idea of human brotherhood. This Dresden school was young, had a young, eager faculty and was a growing concern. Every year I added new classes, new members to the faculty. The board of education granted me absolute freedom to select them. We became, in less than a year, one unit, enthusiastically working toward the same educational ideals. This was a miracle, and it was regarded as such. Instead of fighting the woman imposed on them, which they might very well have done, the men and women of my faculty—I had mostly men—backed me in all I did, after only a few months of reserve and watching, trusted me, loved me. I must stress this fact, because it alone can explain the sin I committed—for their sake.

When Hitler came to power, I was unfortunately so taken up by the battle of my school for a new building big enough for its needs, that I did not pay sufficient attention to him. On April 1 the school moved into its new home. This moving meant a tremendous strain for me. On the last day of April I met one of the members of our Saxon Board of Education, who was my friend. He asked me: "Did you join the Nazi Party?" I said I had not dreamed of doing so, Hitler's speeches repelled me. "You must do it. Only if you step before your faculty to shield them, you can protect them from being dispersed. There is but one party member among them, and that is the youngest practice teacher. Every faculty is to be broken up that does not count a certain percentage of members." April 30 was the dead line for membership. The news that my school, my faculty were in peril induced me to rush off and present myself for membership, to shield them. Had there been time to think it over, I should probably not have done it. I soon began to repent it bitterly. Gradually, laws and regulations came to adapt the schools to the Nazi ideology. This meant a permanent conflict of conscience. I might have saved myself out of it all by then going to America, but I could not selfishly turn my back on hundreds who put their hope and trust in me, confident that I would prevent whatever I could. Finally, an act of God rescued me: I fell desperately ill. This set me free, also before my own conscience. I resigned.

Since 1936, I lived in seclusion, alternating between Dresden and a lonely cabin I had in the mountains on the Czech border. I just eliminated myself. Few knew whether I was alive or dead.

In 1945, after the defeat, I was asked to take up work again. I merely got myself cleared of nazism. I am one of the few who were cleared in the Russian zone during the few months of 1946 when it was done, and waited to see how things would turn out. I gave a few lectures on American education, in the new teacher training, then stopped, because my obvious appreciation of the United States made me a suspect. Moreover, an American friend very unintentionally got me into trouble. Dr. Thomas Alexander, a member of OMGUS, on learning that I had survived the war, had written me a kind letter, with the conclusion: "Now you must come Berlin, and we will talk over past and recent events." By which he meant the days when we had worked and visited together in the United States and Germany. But the Russian censorship which had intercepted the letter—it was in an official envelope of OMGUS—surely interpreted it differently. So I just had to go into hiding as much as I could.

Meanwhile my friends in America had started working for me too. Out of their own initiative, they united—I did not do anything—and the outcome was

an offer from President Wilson Compton to come to the State College of Washington. But, I was in the Soviet zone, which made even the exchange of letters exceedingly difficult. Then came the blockade of Berlin, the removal of OMGUS offices from Berlin to Nuremberg and Wiesbaden. Finally, on December 22, 1948, Dr. Christopher Garnett, head of the Cultural Branch, which had remained in Berlin, told me: "If you can make up your mind for a definite break and become a resident of Berlin, I am ready to process you, but I cannot guarantee for the decision of the State Department." I did not hesitate a moment, gave up my home, my right to a meager pension in the Soviet zone, and moved into blockaded Berlin. On May 9, 1949, I flew out on a British plane.

About 2 weeks before my departure, Dr. Garnett asked me: "Would you speak over the radio, in English, immediately before you fly out? I should like you to tell your story." Of course, I was glad to do anything he wished. So, 2 days before my departure, an interview of 20 minutes was recorded at American Forces Network. The moderator was Mr. Galanopulo. We had agreed on what was not to be said in order to protect my friends in the Soviet zone. Also, my name was not given, just the announcement: "We have an unusual speaker today, whose name we cannot give; she is from the Soviet Zone. Now, 'Frau Doktor,' * * *" When the interview was over, which included questions about what the Communists and their Russian protectors were doing in the field of education, I said very sincerely: "You did it beautifully. Nobody will find out who spoke." A loud laughter was the answer. "You may be sure that tomorrow the Russians will know." And then Dr. Garnett added very seriously: "You can never go back. The door is closed." The interview was rebroadcast immediately after I left Berlin, for fear of my being kidnapped there.

There is no doubt about my being on the Soviet blacklist, now more than ever. This whole year I have spent as a public speaker in the service of the State College of Washington. I am known all over the State. Wherever I go the places are packed. I am sure that I am well known to Communists and Russian agents in the Northwest. The college and I never allow my picture to get into any newspapers; that might mean helping to provoke a "travel accident." I am often asked by my audiences: "Are you not afraid?" To which I can only reply: "When you stand for an idea, you must not heed fear." From March until June 1950, I had my regular time on the radio. The series was entitled "Conflict over Germany." The single subjects were:

1. The Last Weeks of the War.
2. The First Months After the War.
3. The Political Transformation of Eastern Germany.
4. The Agrarian Transformation of Eastern Germany.
5. The Industrial Transformation of the Soviet Zone.
6. The Women of Germany.
7. The German Youth.
8. Education and Propaganda.
9. The Trouble Spot, Berlin.
10. The Uprooted People in Germany.
11. Conflict Over Germany.
12. Epilogue: What Can We Do?

These 12 15-minute lectures given at KWSC have been offered by the college to the National Association of Educational Broadcasters. They will go over the States next fall under my name: Dr. Dora Wagner, of the State College of Washington, from the Soviet zone of Germany. This will not add to my safety. But it will give flashlights all over the United States, which are now more necessary than ever. I think I am an asset to the United States in the ideological struggle of today; this is why I want to go on working.

When I left Germany 15 months ago, I deliberately ran a tremendous risk. That risk has become more desperate. When I left, we had one Germany. I might have gone back to Western Germany since the East and Berlin had become equally impossible. Now, over-crowded Western Germany is a separate state. I am "an alien" there. I am not allowed to go and settle there. The events of this last year have actually made me "a person without a country." I have no right to be anywhere on earth.

Dr. DORA WAGNER.

Subscribed and sworn to before me this 24th day of August, 1950, at Pullman, Wash.

[SEAL]

H. B. RENFRO,
Notary Public, State of Washington.

My commission expires December 22, 1951.

SUMMARY SHEET PERSONAL DATA RECORD, DR. JENNY DORA WAGNER

Education:

- 1904: University of Nancy, France; summer semester.
- 1910: Teachers College of Leipzig; graduation.
- 1911-15: University of Leipzig; Staatsexamen (corresponds to M. A. degree).
- 1912: Oxford, England; summer term.
- 1920: University of Leipzig; Ph. D.
- 1928: Columbia University, New York; member of international study group studying American education.
- 1928: Institute of Internal Education, New York; fall and winter. Toured the United States as a lecturer.

Experience:

- 1910-11: Grade-school teacher at Bautzen.
- 1915-28: Professor at the State Teachers College for Women in Dresden.
- 1928: Member of international study group at Columbia University and lecturer throughout United States.
- 1929-30: Principal of the state high school for girls in Leipzig. (First female principal in Saxony. Included high school and junior college.)
- 1930-34. Principal of a girls' high school in Dresden.
- 1934-35: In Italy due to illness.
- 1935-36: Last attempt to direct the high school in Dresden by special request from the board of education.
- 1936: Final resignation, result of Hitler's anti-Jewish laws. Retired.
- 1945: Lectured on American education, stopped because of Russian and Communist pressure. Went into hiding.

1948:

Upon advice of Dr. Garnett, head of OMGUS Cultural Branch, Berlin, left Dresden to establish residence in Berlin for processing prior to departure for the United States.

Broadcasted story, by request, over American Forces Network.

The committee file contains numerous letters testifying to the good moral character of the beneficiary of this bill. The file also contains evidence regarding Miss Wagner's denazification, as well as her activities in this country.

Having considered all the facts in this case, the committee is of the opinion that H. R. 700, as amended, should be enacted and it accordingly recommends that the bill do pass.

